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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 BARRY LAMON,

No. CIV S-03-0423-FCD-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 C.K. PLILER, et al.,

15 Defendants.  
16 \_\_\_\_\_/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant  
18 to 42 U.S.C. § 1983. Pending before the court are plaintiff's motions for a temporary restraining  
19 order and preliminary injunctive relief (Docs. 76 & 77). On January 13, 2006, the court issued  
20 findings and recommendations that the motions be denied. Plaintiff has filed objections to the  
21 findings and recommendations.


22 In light of plaintiff's objections, and for the good of the record, the court finds it  
23 appropriate for defendants to respond to plaintiff's motions before referring the matter to the  
24 District Judge assigned to this case. Therefore, the January 13, 2006, findings and  
25 recommendations will be vacated and, upon filing of defendants' response, plaintiff's motions  
26 will stand submitted.

Accordingly, IT IS HEREBY ORDERED that:

1. The January 13, 2006, findings and recommendations are vacated; and

2. Within 20 days from the date of service of this order, defendants shall file a response to plaintiff's motions for a temporary restraining order and preliminary injunctive relief.

DATED: February 6, 2006.

  
CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE